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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.	
09/942,272	08/29/2001	Jindong Zhang	823.0103USU	6223	
7.	590 08/28/2002				
Paul D. Greeley, Esq. Ohlandt, Greeley, Ruggiero & Perle, L.L.P. One Landmark Square, 10th Floor			EXAMINER		
			MEDLEY, PETER M		
Stamford, CT	06901-2682		ART UNIT	PAPER NUMBER	
			2834	C/	
			DATE MAILED: 08/28/2002		

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.	Va	Applicant(s)	110
09/942,272		ZHANG ET AL.	
Examiner		Art Unit	
Peter M Medlev		2834	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --Period for Reply

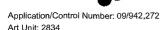
A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM

THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.138(a). In no event, however, may a reply be timely filed

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	Trademark Office ev. 04-01)	Office Action Sur	nmary	Part of Paper No. 8		
Noti Info	ce of References Cited (PTO-892) ice of Draftsperson's Patent Drawing Review rmation Disclosure Statement(s) (PTO-1449)		4) Interview Summary (PTO-413) F 5) Notice of Informal Patent Applica 6) Other:			
ttachme	, ,					
15)	Acknowledgment is made of a claim	for domestic priori	ty under 35 U.S.C. §§ 120 and/or 12	1.		
	a)  The translation of the foreign la	•		• • • •		
14)	Acknowledgment is made of a claim	for domestic priori	ty under 35 U.S.C. § 119(e) (to a pro-	visional application).		
3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)). * See the attached detailed Office action for a list of the certified copies not received.						
		-	been received in Application No			
	1. Certified copies of the priorit	•				
а	) All b) Some * c) None of:					
,	•	•	y under 35 U.S.C. § 119(a)-(d) or (f).			
-	under 35 U.S.C. §§ 119 and 120					
,	The oath or declaration is objected	to by the Examiner	;			
	If approved, corrected drawings are r					
11)			approved b) disapproved by the	Examiner.		
_		•	ng(s) be held in abeyance. See 37 CFR 1			
10)	The drawing(s) filed on is/are	e: a)□ accepted or t	o) objected to by the Examiner.			
9)[	The specification is objected to by t	he Examiner.				
Applicat	tion Papers					
8)[	Claim(s) are subject to restr	iction and/or election	on requirement.			
7)	Claim(s) is/are objected to.					
6)⊠	Claim(s) 1-17 is/are rejected.					
5)	Claim(s) is/are allowed.					
	4a) Of the above claim(s) is/	are withdrawn from	consideration.			
4)⊠	Claim(s) 1-17 is/are pending in the	application.				
Disposi	closed in accordance with the pra tion of Claims	ctice under Ex part	e Quayle, 1935 C.D. 11, 453 O.G. 21	13.		
3)[			cept for formal matters, prosecution			
2a)⊠	This action is <b>FINAL</b> .	2b) This actio	n is non-final.			
1)[🗆	Responsive to communication(s)	filed on 28 June 20	<u>02</u> .			
- Fail	ure to reply within the set or extended period for rep	ly will, by statute, cause the	e application to become ABANDONED (35 U.S.C. § is communication, even if timely filed, may reduce as	133),		
- If th	O period for reply is specified above, the maximum :	(30) days, a reply within the statutory period will apply a	e statutory minimum of thirty (30) days will be conside and will expire SIX (6) MONTHS from the mailing date	of this communication.		



#### DETAILED ACTION

### Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-17 are rejected under 35 U.S.C. 102(b) as being clearly anticipated by Newnham et al (5,729,077). See **figs. 2, 4**, and **8**. There are no limitations in the claims that limit the device to just two electro active substrates.

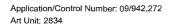
### Response to Arguments

Applicant's arguments filed 28 June 2002 have been fully considered but they are not persuasive.

Applicant's arguments fail to comply with 37 CFR 1.111(b) because they amount to a general allegation that the claims define a patentable invention without specifically pointing out how the language of the claims patentably distinguishes them from the references. The Examiner agrees with the Applicant that the current invention, as disclosed in the specification, is different than Newnham et al, but it is the Examiner's position that the present claim language reads on Newnham et al.

### Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Peter M Medley whose telephone number is 703-305-0494. The examiner can normally be reached on Monday-Friday 8:00 AM to 4:30 PM.



If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nestor Ramirez can be reached on 703-308-1371. The fax phone numbers for the organization where this application or proceeding is assigned are 703-305-3432 for regular communications and 703-305-3432 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-0956.

PM August 26, 2002

NESTOR BAMBEZ SUDSTITUTORY PATENT LICANIMER FECHNOLOSY CENTER 2800